

8-29-01

DAC #14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dakai Liu and Elazar Rabbani)
Serial No. 09/046,840)
Filed: March 24, 1998)
Title: **NOVEL VIRAL VECTOR AND**)
PACKAGING CELL LINES)

Group Art Unit: 1635

Examiner: David Guzo

527 Madison Avenue, 9th Floor
New York, New York 10022
August 27, 2001

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231 **Box DAC**

Attention: Office of Deputy Assistant
Commissioner for Patents
2121 Crystal Drive
Crystal Park 2 - Suite 913
Arlington, Virginia 22202

RECEIVED

AUG 31 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION TO REVIVE
AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. §1.137(b)

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed.

The above-identified application became unintentionally abandoned after August 26, 2000, which was the date that a response to the May 26, 2000 Office

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Enz-56(D3)

Dakai Liu and Elazar Rabbani

Serial No. 09/046,840

Filed: March 24, 1998

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Under 37 C.F.R. §1.137(b) - August 27, 2001)

Action was originally due. A Notice of Abandonment was subsequently mailed on January 17, 2001. A copy of the January 17, 2001 Notice of Abandonment is attached to this Petition as Exhibit 1. Because August 26, 2001 falls on a Sunday, under §1.7, action may be taken on the next succeeding day which is not a Saturday, Sunday, or a Federal holiday. Accordingly, action may be taken on Monday, August 27, 2001, and this Petition is being filed, therefore, within the statutory period for filing such petitions.

It is hereby requested that this application be revived because the delay in taking action was unintentional, and furthermore, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The required reply in the form of an Amendment Under 37 C.F.R. §1.116 is being submitted concurrently herewith and is attached as Exhibit 2.

The small entity fee for filing this Petition is \$620.00. Small entity status was previously established in this application and is still applicable. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite small entity fee of \$620.00 set forth in 37 C.F.R. §1.17(m). The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition and the attached Amendment, or to credit any overpayment thereto.

A duplicate copy of this Petition but without attached Exhibits 1 and 2 is also submitted herewith.

Dakai Liu and Elazar Rabbani

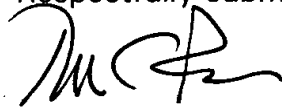
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Favorable action on this Petition is earnestly solicited.

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

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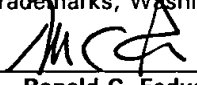
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EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.:	<u>EL831243980US</u>
Deposit Date:	<u>August 27, 2001</u>
<p>I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.110 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231</p>	
 _____ Ronald C. Fedus Reg. No. 32,567	<u>AUG 27 2001</u> _____ Date